



AGENDA
August 13, 2019
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATIONS

BIDS

RESOLUTIONS

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw warrant for unused parking permit fees
2. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for July 2019
3. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
4. Resolution authorizing the Chief Financial Officer for refund of dumpster security payment
5. Resolution authorizing the Chief Financial Officer to draw warrant for 2nd quarter Construction Official's State permit fees for 2019
6. Resolution requesting permission for the dedication by rider for donations – acceptance of bequest and gifts for the 300th Anniversary Celebration of the Town of Westfield
7. Resolution authorizing application in connection with a “Kids Recreation Trust Fund” Grant Program for funding in connection with Playground improvements at Sycamore Field
8. Resolution authorizing application in connection with a “Kids Recreation Trust Fund” Grant Program for funding for professional engineering and survey services at Tamaques Park
9. Resolution authorizing application in connection with “Greening Union County” Grant Program
10. Resolution authorizing the Chief Financial Officer to issue warrants for Special District Taxes
11. Resolution authorizing the Chief Financial Officer to issue warrants for Union County & Union County Open Space taxes
12. Resolution authorizing the purchase of vehicles for various departments
13. Resolution authorizing the purchase of computers for various departments
14. Resolution confirming compliance with Local Finance Board rules regarding recommendations of annual audit

Public Safety, Transportation and Parking Committee

1. Resolution authorizing an award of contract to obtain accreditation status for the Westfield Police Department
2. Resolution authorizing an award of contract for the purchase and installation of solar powered crosswalk systems

Code Review & Town Property Committee

1. Resolution to approve Sidewalk Café License
2. Resolution authorizing an award of contract for AddamsFest Beer and Wine Garden Concession

3. Resolution authorizing the Mayor to execute a licensing agreement with New Jersey Transit to allow the painting of a mural at the New Jersey Transit trestle
4. Resolution authorizing an award of contract for the painting of a mural at the New Jersey Transit trestle
5. Resolution authorizing the Mayor to execute an agreement between the Town of Westfield and Westfield Crossing
6. Resolution authorizing the installation of a commemorative street sign of Martin Wallberg Memorial Drive at Crossway Place

Public Works Committee

1. Resolution accepting proposal for a rain garden through the Rutgers Cooperative Extension Water Resources Program
2. Resolution authorizing the purchase of public works equipment (High-Pressure Sewer Cleaner)
3. Resolution authorizing the purchase of public works vehicles
4. Resolution to amend contract for various landscape material for the Department of Public Works
5. Resolution designating contractor to perform home energy assessments
6. Resolution authorizing an award of contract for professional engineering services

ORDINANCES

GENERAL ORDINANCE NO. 2141

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13

GENERAL ORDINANCE NO. 2142

AN ORDINANCE AMENDING AND SUPPLEMENTING “THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY”, IN ORDER TO ESTABLISH A “PUBLIC ARTS COMMISSION” CONCERNING “PUBLIC ART”

GENERAL ORDINANCE NO. 2143

AN ORDINANCE AMENDING AND SUPPLEMENTING “THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY”, IN ORDER TO PREVENT INCONSISTENCIES REGARDING THE DEFINITION OF THE TERM “MURAL”

GENERAL ORDINANCE NO. 2144

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO ESTABLISH ELECTRIC VEHICLE INFRASTRUCTURE REGULATIONS

GENERAL ORDINANCE NO. 2145

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO PERMIT LARGER FENCING WHEN NECESSARY FOR SAFETY

GENERAL BUSINESS

Children’s Book Festival Request
Westfield 300 Celebration

COMMITTEE REPORTS

OPEN DISCUSSION BY CITIZENS (as needed)

EXECUTIVE SESSION

REMINDER

Next Conference Meeting – September 3, 2019
Next Council Meeting – September 3, 2019

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

Matt E. Forstenhausler 553 Elm Street Westfield, NJ 07090	Lot 8	#19080014	\$348.00
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Francis Devinney 519 Wyndmoore Ave Glenside, PA 19038	SS RR Stn/ Lot 3	#19030519	\$290.00
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Michael Sgro 7 Sandra Circle Westfield, NJ 07090	SS RR Stn/Lot 3	#19030395	\$290.00
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Robert Saunders 241 North Ave West Westfield, NJ 07090	Lot 8	#19080292	\$250.00
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TOWN OF WESTFIELD

WESTFIELD, NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$28.80 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of July 2019.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individuals:

<u>Name</u>	<u>Account</u>	<u>Program</u>	<u>Fee</u>
Erin Hughes 918 Irving Ave Westfield, NJ 07090	Sports Camps T-05-600-073 Trust 218	Get Even Better Basketball Overpaid – Violet (\$5.00) Overpaid – Harrison (\$5.00)	\$10.00
Mark Mutschler 126 Virginia St Westfield, NJ 07090	Pool 195	Swim Team Refund	\$23.00
Allison Hazlett 304 Woods End Road Westfield, NJ 07090	Pool 195	Swim Lessons Refund Chloe Hazlett #3 Little Dippers (\$55.00) Blake Hazlett #3 Little Dippers (\$55.00)	\$110.00
Lauren Burack 336 Edgewood Ave Westfield, NJ 07090	Sports Camps T-05-600-073 Trust 218	Get Better Basketball (Session 3) Addison Burack Refund	\$112.50
Kiersten Mathison 501 Princeton Rd Linden, NJ 07034	Pool 195	Kids Triathlon (11-14 yrs. old) Event Canceled Kiersten Mathison (11-14 yrs. old - \$15) Ethan Mathison (7-8 yrs. old - \$15)	\$30.00
Lauren Smith Cohen 24 Hillcrest Ave Caldwell, NJ 07006	Pool 195	Kids Triathlon Event Canceled Whitney Madison Cohen (4-6 yrs. old - \$15) Zachary Justin Cohen (7-8 yrs. old - \$15)	\$30.00
Caleb DeNigris 664 Hillcrest Ave Westfield, NJ 07090	Pool 195	Kids Triathlon (4-6 yrs. old) Event Canceled Luca DeNigris	\$15.00
Lindsey Mazzara 164 Old Chester Road	Pool 195	Kids Triathlon (4-6 yrs. old) Event Canceled	\$30.00

Essex Fells, NJ 07021		Bennett Mazzara (\$15) Harrison Mazzara (\$15)	
Jeannine Mikhail 715 Dartmoor Westfield, NJ 07090	Pool 195	Kids Triathlon (4-6 yrs. Old) Event Canceled George Mikhail	\$15.00
Meaghan Eschbacher 224 Second Street Fanwood, NJ 07023	Pool 195	Kids Triathlon Event Canceled Edison "Teddy" Eschbacher (\$15) Russell Eschbacher (\$15)	\$30.00
Susan Pastir 2080 Brookside Drive Scotch Plains, NJ 07076	Pool 195	Kids Triathlon Event Canceled Taryn Elisabeth Fonder (7-8 yrs. old - \$15) Matthew Fonder (9-10 yrs. old - \$15)	\$30.00
Thomas Greeley 414 Coddling Road Westfield, NJ 07090	Pool 195	Kids Triathlon Event Canceled Fiona Greeley (7-9 yrs. old - \$15) Teagan Greeley (7-8 yrs. old - \$15)	\$30.00
Vivian Suchy 19 Cornwall Drive Westfield, NJ 07090	Pool 195	Kids Triathlon (7-8 yrs. old) Event Canceled Eva Lubenow	\$15.00
Abigail Roxas 552 Cumberland St Apt 1 Westfield, NJ 07090	Pool 195	Kids Triathlon (7-8 yrs. old) Event Canceled Jacob Aidan Roxas	\$15.00
Michael Tagliaferro 156 Lincoln Road Westfield, NJ 07090	Pool 195	Kids Triathlon (7-8 yrs. old) Event Canceled Leo Tagliaferro	\$15.00
Lindsey Materdomini 824 Coolidge Street Westfield, NJ 07090	Tennis/Rec T-05-600-071	Tennis Spring 2019 Refund / 2 classes each Ryan (Pee Wee Th 4pm) Emma (Hot Shot Th 4pm)	\$61.60
Aparna Brunt 749 East Broad Street Westfield, NJ 07090	Tennis/Rec T-05-600-071	Young Rembrandts Program Canceled Julia Brunt	\$108.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval by Town Engineer for return of deposit:

17-33 Elm Street, LLC
P.O. Box 772
Cranford, NJ 07016

Amount of refund: \$975.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$11,137.00 to the TREASURER, STATE OF NEW JERSEY for the second quarter Construction Official's State permit fees for 2019.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton , New Jersey 08625-0802.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

**RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR DONATIONS – ACCEPTANCE OF BEQUESTS AND GIFTS
REQUIRED BY N.J.S.A. 40A:5-29**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, N.J.S.A 40A:5-29 provides for receipt of Donations – Acceptance of Bequests and Gifts for the 300th Anniversary Celebration of the Town of Westfield to provide for the operating costs to administer this act, and

WHEREAS, N.J.S.A. 40A:4-39 provides that dedicated revenues anticipated from Donations – Acceptance of Bequests and Gifts for the 300th Anniversary Celebration of the Town of Westfield are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Westfield, County of Union, New Jersey, as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Donations – Acceptance of Bequests and Gifts for the 300th Anniversary Celebration of the Town of Westfield, as authorized under N.J.S.A. 40A:5-9.
2. The Clerk of the Town of Westfield, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

WHEREAS, the Union County Board of Chosen Freeholders is allocating matching grant dollars for recreational improvements in the municipality, allowing each municipality the opportunity to address their specific need; and

WHEREAS, the Recreation Commission of the Town of Westfield has determined that there is a need for an updated Playground at Sycamore Field in the Town of Westfield; and

WHEREAS, matching funds in the amount of \$30,900.00 will be certified by the Chief Financial Officer to be charged to account #T-05-600-076.

NOW THEREFORE BE IT RESOLVED the proper Town officials be, and hereby are authorized and directed to file an application with the Union County Open Space, Recreation & Historic Preservation Trust Fund for a "Kids Recreation Trust Fund" grant in the amount of \$30,900.00.

BE IT FUTHER RESOLVED that the proper Town officials be, and hereby are, authorized and directed to enter into a contract as prepared by the Union County Law Department.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

WHEREAS, the Union County Board of Chosen Freeholders is allocating matching grant dollars for recreational improvements in the municipality, allowing each municipality the opportunity to address their specific need; and

WHEREAS, the Recreation Commission of the Town of Westfield has determined that there is a need for Professional Engineering & Survey Services at Tamaques Park in the Town of Westfield; and

WHEREAS, matching funds in the amount of \$22,445.00 will be certified by the Chief Financial Officer to be charged to account #T-05-600-076.

NOW THEREFORE BE IT RESOLVED the proper Town officials be, and hereby are authorized and directed to file an application with the Union County Open Space, Recreation & Historic Preservation Trust Fund for a “Kids Recreation Trust Fund” grant in the amount of \$22,445.00.

BE IT FUTHER RESOLVED that the proper Town officials be, and hereby are, authorized and directed to enter into a contract as prepared by the Union County Law Department.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

WHEREAS, the Union County Board of Chosen Freeholders is allocating matching grant dollars for tree plantings in Union County municipalities under its Greening Union County initiative; and

WHEREAS, the Town of Westfield desires to participate in the 2019 Greening Union County program; and

WHEREAS, matching funds in the amount of \$12,500 will be certified by the Chief Financial Officer to be charged to account no. 8-01-137-255.

NOW THEREFORE BE IT RESOLVED the proper Town officials be, and hereby are authorized and directed to file an application with the Union County Open Space, Recreation & Historic Preservation Trust Fund for a "Greening Union County" grant in the amount of \$12,500.

BE IT FURTHER RESOLVED that the proper Town officials be, and hereby are, authorized and directed to enter into a contract as prepared by the Union County Law Department.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the Downtown Westfield Corporation, for Special District Taxes as provided in the year 2019 budget:

August 13, 2019	\$104,086.75
November 1, 2019	\$104,086.75

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

BE IT RESOLVED, that the Treasurer of the Town of Westfield be and he is hereby authorized and directed to draw the necessary 3rd & 4th quarterly assessment warrants and issue same to the County of Union, via wire transfer, as follows:

	County Purpose Tax	Open Space Tax
2019 3 rd Quarter	\$10,399,853.68	\$316,357.44
2019 4 th Quarter	10,399,853.68	316,357.43

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO. 2019

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

WHEREAS, a need exists for the purchase of replacement Vehicles as provided for in the 2019 Operating Budget, 165-251, and

WHEREAS, the contract to purchase these is to be awarded to an authorized vendor through various Cooperative Purchasing Agreements, and

WHEREAS, these vehicles will be sufficient to meet the needs of the various Departments, and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under N.J. State Contract #A86922, and Sourcewell (formerly NJPA), #120716-NAF, a resolution must be adopted by the Governing Body, and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, which will be in the amount of \$132,882.00 charged to 2019 Building Department Operating 165-251 prepared in accordance with N.J.A.C. 5:30 1.10, under Purchase Order numbers as indicated below.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase the following vehicles from the indicated vendors:

<u>Vendor</u>	<u>Unit Price</u>	<u>Extended Price</u>	<u>PO#</u>
Hertrich Fleet Services 1427 Bay Road <u>Milford, DE 19963</u>			
Three (3) 2019 Dodge Journey SE	@ \$18,499.00	\$55,497.00	19-03068
National Auto Fleet Group 490 Auto Center Drive <u>Watsonville, CA 95076</u>			
Three (3) 2020 Ford Fusion Hybrid	@ \$25,795.00	\$77,385.00	19-03069

BE IT FURTHER RESOLVED that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO. 2019

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

WHEREAS, a need exists for the replacement of a number of computers and operating software throughout all departments in the Town of Westfield, due in part to Microsoft's no longer servicing Windows 7 as of January, 2020, and

WHEREAS, a comprehensive inventory of computers and software has identified at least 50 computer stations and one file server that are nearing the end of their useful lives, and

WHEREAS, Dell Marketing, LP was awarded state contract #89967 (T-number M0483 16-r-24098) for Optiplex computers with I5 and I7 processors, and

WHEREAS, a group license is available from Planet Technologies for Microsoft Office software bundles required for each computer, which takes advantage of economies of scale over individual licensing, and

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, which will be charged to each department's operating account lines as their computers are replaced, and that the certification has been prepared in accordance with N.J.A.C. 5:30 1.10, under Purchase Order 19-03067 for Dell Marketing in an amount not expected to exceed \$75,000 and 19-03134 for Planet Technologies in an amount not expected to exceed \$10,000.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that a contract for the purchase of Computers in various departments throughout the Town of Westfield be and hereby is awarded to Dell Marketing, LP, P.O. Box 643561, Pittsburgh, PA 15264-3561, at a cost not expected to exceed \$75,000.00, and to Planet Technologies, 20400 Observation Drive, Germantown, MD, 20876, in an amount not expected to exceed \$10,000.00.

BE IT FURTHER RESOLVED, that the proper Town Officials be, and hereby are, authorized to take whatever actions are appropriate in the execution of discharge of this Contract.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 13, 2019

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Town Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations", and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Town Council of the Town of Westfield, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO. 2019

Public Safety, Transportation and Parking Committee

August 13, 2019

WHEREAS, the Town of Westfield is seeking a reputable law enforcement consultant to work with the Westfield Police Department to review, revise and reissue its written directives and to apply for and achieve accreditation status awarded by the New Jersey State Association of Chiefs of Police; and

WHEREAS, the Town of Westfield issued a Request for Proposals (RFP) for the aforementioned service through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, the Rodgers Group, LLC, PO Box 831, Island Heights, New Jersey 08732, submitted a proposal to perform said services at a fee not to exceed \$39,900; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFP.

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, prepared in accordance with N.J.A.C. 5:30 1.10, which will be in the amount of \$39,900, charged to the Police County Law Enforcement Forfeiture Account T-05-600-021, using Purchase Order #19-03060.

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield does hereby award a contract to the Rodgers Group, LLC to provide the aforementioned services; and

BE IT FURTHER RESOLVED that the proper Town Officials be, and hereby are, authorized to take whatever actions are appropriate in the execution and discharge of this contract.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO. 2019

Public Safety, Transportation and Parking Committee

AUGUST 13, 2019

WHEREAS, a need exists for the purchase and installation of solar powered pedestrian crosswalk systems at certain intersections within the Town of Westfield; and

WHEREAS, the contract to purchase these is to be awarded to an authorized vendor through the Morris County Cooperative Pricing Council, and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item through a cooperative pricing system, a resolution must be adopted by the Governing Body, and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, which will be in the amount of \$93,036, charged to C-07-19-221-6A3, under Purchase Order 19-03061, under MCCPC Contract #37 prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield be and hereby authorize an award of contract to Jen Electric, Inc., 631 Morris Avenue, Springfield, New Jersey, 07081 for the purchase and installation of solar powered pedestrian crosswalk systems at certain intersections within the Town of Westfield at a cost not to exceed \$93,036.

BE IT FURTHER RESOLVED that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

AUGUST 13, 2019

WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed have made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishments listed have met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants licenses to the establishments listed to operate sidewalk cafés and the Town Clerk be, and is hereby authorized to issue said licenses.

Old Havana Yamila

13 Elm Street

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO. 2019

CODE REVIEW AND TOWN PROPERTY COMMITTEE **AUGUST 13, 2019**

WHEREAS, the Town of Westfield is seeking qualified business entities with the appropriate ABC license to provide a Beer and Wine Garden Concession at the AddamsFest event scheduled for October 26, 2019 within the Town of Westfield; and

WHEREAS, the Town of Westfield issued a Request for Proposals (RFP) for the aforementioned service through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, UT Westfield, LLC, dba Addams Tavern, 115 Elm Street, Westfield, NJ 07090 submitted a proposal to perform said services at the AddamsFest event with a payment to the Town of Westfield totaling thirty (30 %) percent of sales at said event; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFP.

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield does hereby award a contract to UT Westfield, LLC for a Beer and Wine Garden Concession at the AddamsFest event; and

BE IT FURTHER RESOLVED that the proper Town Officials be, and hereby are, authorized to take whatever actions are appropriate in the execution and discharge of this contract.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW AND TOWN PROPERTY COMMITTEE

AUGUST 13, 2019

WHEREAS, the Town of Westfield has a need to access certain property of the New Jersey Transit located on each side of the Route 28/Broad Street underpass, for the purpose of placing murals on that property, through an artist to be retained by the Town; and

WHEREAS, the License Agreement requires that the Town of Westfield indemnify New Jersey Transit from all risk of loss and/or damage to property or injury to or death of persons arising out of the Town's access to New Jersey Transit's property; and

WHEREAS, the License Agreement further requires the Town of Westfield to provide a Certificate of Insurance that names New Jersey Transit as an additional insured;

NOW THEREFORE, BE IT RESOLVED that the Mayor of the Town of Westfield shall be and hereby is authorized to execute an appropriate licensing agreement with the New Jersey Transit Corporation and the Municipal Clerk shall be and hereby is authorized to attest to the Mayor's signature.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW AND TOWN PROPERTY COMMITTEE

AUGUST 13, 2019

WHEREAS, the Town of Westfield has a need to acquire the services of an artist to paint a mural on each side of the Route 28/Broad Street underpass as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is no more than one year; and

WHEREAS, Ricardo Roig has submitted a proposed design for the mural and has indicated that he will produce the mural art for the price of \$25,000; and

WHEREAS, Ricardo Roig has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor any business entity in which he owns greater than a 10 percent share, has made any reportable contributions to a political or candidate committee in the Town of Westfield in the previous one year, and that the contract will prohibit Roig and any entity in which he owns greater than a 10 percent share, from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4, said funds to be encumbered from Trust Account T-05-600-097 (Donations for Public Art Throughout the Town of Westfield) and Budget Account 9-01-192-215 (Town Events).

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Westfield authorizes the Mayor to enter into a non-fair and open contract with Ricardo Roig as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that the Clerk of the Town of Westfield shall publish this Resolution in the Town's official newspaper.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW AND TOWN PROPERTY COMMITTEE **AUGUST 13, 2019**

WHEREAS, in conjunction with a development project being engaged in by Westfield Crossing, LLC, in the area of South Avenue East and Windsor Avenue, the Town of Westfield may examine whether certain parcels in tax blocks 3007, 4003, and 4005 (the “study area”) are part of an area in need of redevelopment under the Local Redevelopment and Housing Law (“LRHL”); and

WHEREAS, the Mayor and Council of the Town of Westfield have determined that the Town will not engage in such an examination without an appropriate agreement in place with Westfield Crossing, LLC, through which Westfield Crossing, LLC, would defend, indemnify and hold harmless the Town of Westfield from any and all liability that may result from the Town’s investigation of the study area, and from any other action taken by the Town under the LRHL regarding the study area; and

WHEREAS, Westfield Crossing, LLC, has provided the Town with an appropriate form of defense, indemnification and hold harmless agreement, to the Town’s benefit; and

WHEREAS, entering into such an agreement in no ways binds the Town to undertake a preliminary investigation under the LHRL of the study area, or to declare any area or parcels in the study area as part of an area in need of redevelopment, or to adopt a redevelopment plan for such area;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Westfield authorizes the Mayor to enter into a Defense, Indemnification and Hold Harmless Agreement with Westfield Crossing, LLC,

BE IT FURTHER RESOLVED that the proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution and discharge of that Agreement.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW AND TOWN PROPERTY COMMITTEE **AUGUST 13, 2019**

WHEREAS, 2019 marks the centennial of the founding of The American Legion, as well as the centennial of the founding of Martin Wallberg American Legion Post 3 in Westfield; and

WHEREAS, Post 3 was founded by Westfield veterans of World War I as an organization for active duty military and veterans who served honorably during eligible war eras; and

WHEREAS, Martin Wallberg American Legion Post 3 was named in memory of Westfield's World War I hero, Martin Wallberg, a son of Westfield who paid the supreme sacrifice when he was killed in action in World War I in the Battle of Passchendaele Hill, in Belgium; and

WHEREAS, the Post 3 family consists of Legionnaires, the Sons of the American Legion, and the American Legion Auxilliary, and the activities of Post 3 are based upon the four pillars upon which the American Legion was founded: Veterans Affairs & Rehabilitation; National Security; Americanism; and Children & Youth; and

WHEREAS, Post 3 has been an integral part of the community of Westfield and surrounding towns since its founding, engaging in activities such as visiting and entertaining veterans at their homes; hosting veterans groups at the Post; sending care packages to deployed troops; hosting Breakfast with Santa; selecting and sponsoring high school students to attend Girls State and Boys State; hosting ceremonies to retire American flags that are no longer serviceable; and meeting with U.S. Congressional representatives to promote veteran's concerns; and

WHEREAS, in connection with Post 3's Centennial Celebration, which will occur on Saturday, September 21, 2019, and to which all of the public is invited, the member of Martin Wallberg American Legion Post 3 have requested the installation of a street sign to both commemorate and honor the contributions of Martin Wallberg American Legion Post 3 to the life of the community of Westfield; and

WHEREAS, the Mayor and Town Council believe it to be wholly appropriate to do so, as a small way to honor and thank Post 3 and its members for all of the contributions they have made to the Town of Westfield, and for their service to a grateful country;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield hereby authorize the erection of an appropriate commemorative street sign at Crossway Place, designating that street to also be known as Martin Wallberg Memorial Drive.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO. 2019

PUBLIC WORKS COMMITTEE

AUGUST 13, 2019

WHEREAS, the Westfield Green Team recommends moving forward with a demonstration rain garden; and

WHEREAS, the Town of Westfield received a proposal from Rutgers University for training, educational programming, and the installation of a demonstration rain garden, at no cost to the Town, through the Rutgers Cooperative Extension Water Resources Program.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Westfield be and hereby accepts Rutgers University's proposal for training, educational programming and the installation of a demonstration rain garden.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

AUGUST 13, 2019

WHEREAS, a need exists for the purchase of public works related equipment as provided for in Public Works Account C-07-19-221-7A3, and

WHEREAS, the contract to purchase this equipment is to be awarded to an authorized vendor through a Cooperative Purchasing Agreement, and

WHEREAS, this equipment will be sufficient to meet the needs of the Department, and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under a Cooperative Contract, specifically, Sourcewell (formerly National Joint Powers Alliance) Contract #122017-HVC, a resolution must be adopted by the Governing Body, and

WHEREAS, Hi-Vac Corporation, the manufacturer of the Aquatech Model SJR-1500 High-Pressure Sewer Cleaner, is the vendor named in the Sourcewell cooperative contract, and Timmerman Equipment Company is an authorized dealer for the aforementioned equipment, and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, prepared in accordance with N.J.A.C. 5:30 1.10, which will be in the amount of \$303,267.91 charged to 2019 Public Works Account C-07-19-221-7A3, using Purchase Order #19-02942.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase the following equipment from the indicated vendor:

Timmerman Equipment Company

P.O. Box 71

Whitehouse, NJ 08888

AQUATECH Model SJR-1500 High-Pressure Sewer Cleaner

\$303,267.91

BE IT FURTHER RESOLVED that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

TOWN OF WESTFIELD

WESTFIELD, NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

AUGUST 13, 2019

WHEREAS, a need exists for the purchase of replacement Vehicles as provided for in the 2019 Public Works Account C-07-19-221-7A2, and

WHEREAS, the contract to purchase these is to be awarded to an authorized vendor through the State of New Jersey Procurement Bureau, and

WHEREAS, these vehicles will be sufficient to meet the needs of the Department, and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under a Cooperative Contract, specifically, National Joint Powers Alliance Contracts #120716-NAF, a resolution must be adopted by the Governing Body, and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, prepared in accordance with N.J.A.C. 5:30 1.10, which will be in the amount of \$220,720.52 charged to 2019 Public Works Account C-07-19-221-7A1 and \$188,975.02 charged to 2019 Public Works Account C-07-19-221-7A2, using Purchase Order #19-xxxx.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase the following vehicles from the indicated vendor:

National Auto Fleet Group

490 Auto Center Drive

Watsonville, CA 95076

Two (2) 2020 Chevrolet Mason Dumps	@ \$94,487.51	\$188,975.02
Four (4) 2020 Chevrolet Silverado 2500	@ \$55,180.13	\$220,720.52

BE IT FURTHER RESOLVED that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

AUGUST 13, 2019

WHEREAS, on February 26, 2019, under Resolution 64-2019, a Unit Price Contract was awarded to Northern Nurseries of New Jersey, Inc., for the purchase of various landscape materials, including trees, at unit pricing in an amount not to exceed \$75,000 and

WHEREAS, due to continuous evaluations made in the field and following the award of the original contract, a need exists for the purchase of additional landscape material for use by the Department of Public Works, as provided for in Public Works account 137-254, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Amended Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to Public Works account 137-254, under Purchase Order PO# 19-00729, in an amount not expected to exceed \$135,000, an increase of \$60,000.

NOW THEREFORE BE IT RESOLVED, that the Unit Price Contract originally awarded to Northern Nurseries of New Jersey, Inc., be and is hereby amended in an amount not to exceed \$135,000 (increased \$60,000) and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

AUGUST 13, 2019

WHEREAS, the Town of Westfield has a need to acquire residential energy audit services to identify potential upgrades for homeowners to increase energy efficiency; and

WHEREAS, the Town of Westfield issued a Request for Proposals (RFP) for the aforementioned service through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the anticipated term of this contract is from the date of the fully executed agreement for a period not to exceed 24 months pursuant to N.J.S.A. 40A:11-15; and

WHEREAS, Ciel Power LLC submitted a response to a Request for Proposals indicating it would provide residential energy audits at a cost of \$49.00 per audit to the homeowner, with no cost to the Town of Westfield, and

WHEREAS, the Director of the Department of Community Services recommends authorizing an agreement with Ciel Power LLC to conduct residential energy audits for homeowners

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Westfield as follows:

1. That the Mayor and Town Clerk are hereby authorized and directed to execute an agreement with Ciel Power LLC, 820 Riverside Avenue, Suite 301, Lyndhurst, NJ 07071, as described herein; and
2. That that the proper Town Officials be, and hereby are, authorized to take whatever actions are appropriate in the execution and discharge of this contract.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

PUBLIC WORKS COMMITTEE

AUGUST 13, 2019

WHEREAS, the Town performed an environmental remediation of Municipal Parking Lot #8, now designated as Lot #1, and,

WHEREAS, as part of this remediation, monitoring wells were installed at the site to sample and evaluate groundwater in the vicinity of the clean-up, and

WHEREAS, Brinkerhoff Environmental Services, Inc., a Licensed Site Remediation Professional (LSRP) as identified by the New Jersey Department of Environmental Protection, was contracted to conduct additional groundwater sampling to evaluate contaminant levels in order to comply with New Jersey Department of Environmental Protection regulations, and

WHEREAS, based on these initial results it is the opinion of Brinkerhoff to perform further groundwater sampling/monitoring in order to develop and prepare a Remedial Action Workplan, in order to comply with the requirements of the New Jersey Department of Environmental Protection, and

WHEREAS, a proposal was received from Brinkerhoff Environmental Services, Inc., to perform the necessary groundwater evaluation and develop the required NJDEP report, and

WHEREAS, the Town Engineer has reviewed the Proposal and recommends that a professional services contract for the aforementioned services as outlined in the Proposal dated June 24, 2019, be awarded to Brinkerhoff Environmental Services, Inc., 133 Jackson Road, Suite D, Medford, NJ 08055, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to Public Works Operating Budget 137-254, under Purchase Order PO-19-03151.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract for professional engineering services be awarded to Brinkerhoff Environmental Services, Inc., 133 Jackson Road, Suite D, Medford, NJ 08055, in an amount not to exceed \$25,000.00.



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING
Tuesday, August 13, 2019
8:00 PM**

PROPOSED AGENDA

This agenda is prepared for the information of the public. It is the order of the meeting; however, if changes in order, deletions or additions are made, they will be noted at the time.

1. Roll Call
2. Invocation
3. Salute to the flag
4. Presentations
5. Appointments
6. Advertised Hearings

GENERAL ORDINANCE NO. 2140

AN ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF THE TOWN OF WESTFIELD

7. Approval of Minutes from Town Council Conference Session held July 9, 2019
Approval of Minutes from Town Council Regular Meeting held July 9, 2019
Approval of Minutes from Town Council Executive Session held July 9, 2019
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$1,920,461.18
11. Reports of Standing Committees

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw warrant for unused parking permit fees

2. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for July 2019
3. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
4. Resolution authorizing the Chief Financial Officer for refund of dumpster security payment
5. Resolution authorizing the Chief Financial Officer to draw warrant for 2nd quarter Construction Official's State permit fees for 2019
6. Resolution requesting permission for the dedication by rider for donations – acceptance of bequest and gifts for the 300th Anniversary Celebration of the Town of Westfield
7. Resolution authorizing application in connection with a "Kids Recreation Trust Fund" Grant Program for funding in connection with Playground improvements at Sycamore Field
8. Resolution authorizing application in connection with a "Kids Recreation Trust Fund" Grant Program for funding for professional engineering and survey services at Tamaques Park
- 9.
10. Resolution authorizing the Chief Financial Officer to issue warrants for Special District Taxes
11. Resolution authorizing the Chief Financial Officer to issue warrants for Union County & Union County Open Space taxes
12. Resolution authorizing the purchase of vehicles for various departments
13. Resolution authorizing the purchase of computers for various departments
14. Resolution confirming compliance with Local Finance Board rules regarding recommendations of annual audit

Public Safety, Transportation and Parking Committee

3. Resolution authorizing an award of contract to obtain accreditation status for the Westfield Police Department
4. Resolution authorizing an award of contract for the purchase and installation of solar powered crosswalk systems
5. GENERAL ORDINANCE NO. 2141
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD,
CHAPTER 13

Code Review & Town Property Committee

7. Resolution to approve Sidewalk Café License
8. Resolution authorizing an award of contract for AddamsFest Beer and Wine Garden Concession
9. Resolution authorizing the Mayor to execute a licensing agreement with New Jersey Transit to allow the painting of a mural at the New Jersey Transit trestle
10. Resolution authorizing an award of contract for the painting of a mural at the New Jersey Transit trestle
11. Resolution authorizing the Mayor to execute an agreement between the Town of Westfield and Westfield Crossing
12. Resolution authorizing the installation of a commemorative street sign of Martin Wallberg Memorial Drive at Crossway Place

13. GENERAL ORDINANCE NO. 2142

AN ORDINANCE AMENDING AND SUPPLEMENTING “THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY”, IN ORDER TO ESTABLISH A “PUBLIC ARTS COMMISSION” CONCERNING “PUBLIC ART”

14. GENERAL ORDINANCE NO. 2143

AN ORDINANCE AMENDING AND SUPPLEMENTING “THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY”, IN ORDER TO PREVENT INCONSISTENCIES REGARDING THE DEFINITION OF THE TERM “MURAL”

15. GENERAL ORDINANCE NO. 2144

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO ESTABLISH ELECTRIC VEHICLE INFRASTRUCTURE REGULATIONS

16. GENERAL ORDINANCE NO. 2145

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO PERMIT LARGER FENCING WHEN NECESSARY FOR SAFETY

Public Works Committee

7. Resolution accepting proposal for a rain garden through the Rutgers Cooperative Extension Water Resources Program
8. Resolution authorizing the purchase of public works equipment (High-Pressure Sewer Cleaner)
9. Resolution authorizing the purchase of public works vehicles
10. Resolution to amend contract for various landscape material for the Department of Public Works
11. Resolution designating contractor to perform home energy assessments
12. Resolution authorizing an award of contract for professional engineering services

12. Reports of Department Heads

Adjournment